

REMARKS

Applicants thank the Examiner for withdrawing the rejections of record in the October 22, 2004 *Office Action*.

Status of the Application

Claims 1-36 are all the claims pending in the Application. Claims 23-32 are allowed, claims 6, 7, 10, 11, 16, 17, 20 and 21 stand objected to but would be allowable if rewritten in independent form, and claims 1-5, 8, 9, 12-15, 18, 19, 22 and 33-36 stand rejected.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 23-32 are allowed.

Applicants thank the Examiner for indicating that claims 6, 7, 10, 11, 16, 17, 20 and 21 would be allowed if rewritten in independent form. However, Applicants respectfully request that the Examiner hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

Anticipation Rejection

The Examiner has rejected claims 1-5, 8, 9, 12-15, 18, 19, 22 and 33-36 under 35 U.S.C. § 102(e) as being anticipated by *Jones* (US 6,904,359; hereinafter “Jones”). This rejection is respectfully traversed.

Preliminary, Applicants note that the claim language has been amended to be presented in the form originally submitted. That is, the claims as now presented state, in essence, that a “mobile system” i.e., the entire positioning system, which may include disk drive, map reader, display and “position measuring section,” e.g. the GPS + gyro part of the “mobile system,” is installed in a “mobile unit,” e.g., a car. When the mobile system ceases its main operation, the

controller determines whether the “position measuring section” (e.g., the GPS + gyro) of the mobile system, should continue its calculation. That is, the claimed invention enables continued operation of the position measuring section of the mobile system, even if the mobile system is essentially been turned off. Stated another way, according to the claims as currently presented, it is not necessary to determine whether the mobile unit, i.e., the vehicle, has ceased operation. Rather, what is important is whether the mobile system ceased operation. For example, the mobile system may cease its main operation of reading and displaying maps and routes on the LCD display, but the position measuring section of the mobile system may still continue to calculate the vehicle’s position (although not displaying it). Applicants respectfully submit that such a system is not anticipated by Jones.

In the pending office action it is alleged that in Figure 1 and on column 9, lines 44-65 Jones discloses the limitation:

a controller for determining whether or not continuing the position measuring operation is required after a main operation of said mobile unit has stopped and for controlling said position measuring section to continue the position measuring operation after stopping the main operation when the position measuring operation is required.

Applicants respectfully disagree. In the cited passage, Jones merely discloses that the VCU shown in Figure 1 includes an attempt to deliver switch 22 and a reschedule stop switch 23. When the driver arrives at a delivery place but finds no one to accept the delivery, the driver may activate the attempt to deliver switch 22 to inform the VCU that an attempt to deliver was made. Additionally, the user may also activate the reschedule switch so that the system may reschedule the delivery for another time. However, nowhere does Jones mention that the VCU continues to calculate the position of the vehicle when the vehicle, or, for that matter, the VCU, has been

turned off. Accordingly, Applicants respectfully submit that Jones fails to anticipate this limitation.

In the pending Office Action it is further alleged that on column 23, lines 1-5, and on column 9, lines 18-25, Jones discloses the limitation:

a positioning stopper for stopping said position measuring operation under the control of said controller.

and

positioning stopper comprises a clock section which starts the clocking after stopping the main operation.

Applicants respectfully disagree. Regarding the cited passages, Jones indeed discloses a clock. However, the claims limitations recite more than just a clock. The claim limitations recite that the clock is used for stopping the position measuring operation. Nowhere is Jones disclosing or suggesting that the clock is used for stopping the position measuring operation. To the contrary, the Jones clock is only used for scheduling of deliveries and for determining transmission to the base unit.

In the pending Office Action it is further alleged that in Figure 10 and on column 4, lines 34-54, and on column 14, lines 46-65, Jones discloses the limitation:

*operation stop detector for detecting the stop of the main operation;
wherein said operation stop detector is provided on a power line for supplying
an electric power to said mobile system*

Applicants respectfully disagree. On the cited passages, Jones discloses a prior art system which does not have a GPS for determining its location. Instead, the system determines location using a delivery schedule and by the driver indicating to the system whether a delivery has been made or not. Jones explains that such system “determines vehicle location from a

delivery list and acknowledgement of each delivery to the BSCU.” However, Jones doesn’t disclose or suggest a stop detector as recited in the claims.

In the pending Office Action it is further alleged that in Figure 13 and on column 17, lines 38-56, Jones discloses the limitation:

the controller determines that continuing the position measuring operation is required after the main operation has stopped when the mobile system moves after the main operation has stopped

Applicants respectfully disagree. On the cited passages, Jones describes that the VCU continuously determines the vehicle position using the GPS and sends the information to the BSCU. The BSCU compares this information to the route schedule of the planned route. However, nowhere is Jones describes that the controller continues the position measuring operation after the main operation has stopped and the mobile system moves. If anything, Jones teaches to the contrary. That is, Jones shows in Figure 13 that all of these activities take place only between step 45a, i.e., ignition activated, and step 45k, ignition switch off. Jones shows absolutely no activity after the switch is turned off.

In the pending Office Action it is further alleged that in Figure 19 and on column 5, lines 32-52, and column 9, lines 66 to column 10, lines 13, Jones discloses the limitation:

the controller determines that continuing the position measuring operation is required after the main operation has stopped when a substantial amount of time would be required for the position measuring section to reacquire position data to measure the position of the mobile system once the main operation is resumed.

Applicants respectfully disagree. On the cited passages, Jones describes another prior art system that determines the vehicle’s location without resort to a GPS system. This system simply uses preprogrammed delivery route and uses vehicle parameters, such as speed, actual or

attempted deliveries, etc. to track the vehicles location. With respect to the description bridging columns 9 and 10, Jones describes that the attempted delivery switch 22 and reschedule delivery switch 23 are optional. However, nowhere in the cited passage is Jones describing or suggesting the claimed limitation.

In the pending Office Action it is further alleged that in column 28, lines 17-column 29, lines 23, Jones discloses the limitation:

the controlling of the position measuring section to continue the position measuring operation after stopping the main operation is performed while the main operation is stopped

Applicants respectfully disagree. On the cited passages, Jones describes the communication procedures between the VCU that is installed on the vehicle and the BSCU, which is a land base station. Here, if anything, Jones teaches to the contrary. That is, Jones explicitly teaches that: “in the case where the delivery vehicle 19 is stopped in-between schedule stops, the VCU 12 resets its on-board communication clock cycle back so that communication to the BSCU 14 is stopped, until the vehicle restarts it[s] route or progress.” Column 28, lines 41-45. Therefore, clearly Jones does not teach the cited limitation and, if any, teaches the opposite.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-36 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-36.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/812,565

Attorney Docket No. Q63506

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Grant K. Rowan
Registration No. 41,278

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 2, 2006